

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
MAY 3, 1972

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, May 3, 1972 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - HUGHES, KATNICH  
PINKERTON and  
EHRHARDT (Mayor)

Absent: Councilmen - SCHAFFER

Also present: City Manager Graves, Assistant City Manager Peterson, Planning Director Schroeder and Public Works Director Jones.

PLEDGE

Mayor Ehrhardt led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Katnich, Pinkerton second, the Minutes of April 5, 1972 were approved as written and mailed.

PUBLIC HEARINGS

REZONE  
NW CORNER  
PARK & S.  
HUTCHINS STS.

ORD. NO. 971  
INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Ehrhardt called for the public hearing on the recommendation of the Planning Commission to rezone from the R-1, Single-Family Residential District to the R-MD, Residential Medium Density, Multiple-Family District a parcel located at the northwest corner of Park Street and South Hutchins Street.

Planning Director Schroeder introduced the matter, and presented a drawing of the area proposed for rezoning.

Mr. and Mrs. James Ishida, 307 Wood Drive, owners of the property, spoke in favor of the rezoning. Mrs. Sue Bredesen, 1001 South Hutchins Street also spoke in favor of the rezoning.

Mr. Al Hanson, 521 Park Street, spoke in opposition to the proposal.

After Council discussion, Councilman Katnich moved introduction of Ordinance No. 971 rezoning a parcel located at the northwest corner of Park Street and South Hutchins Street to be in the R-MD, Residential Medium Density, Multiple-Family District. The motion was seconded by Councilman Pinkerton and carried.

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# PLANNING COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of April 24, 1972:

REZONE  
LOTS 13, 14 & 15  
BLOCK 27, CITY  
OF LODI

The Planning Commission recommended the approval of the request of Mr. Al Donald on behalf of Mr. B. E. Porter for a change in zoning from the C-2, General Commercial District to the M-1, Light Industrial District for Lots 13, 14 and 15 of Block 27, City of Lodi. On motion of Councilman Katnich, Hughes second, the matter was set for public hearing on May 24, 1972.

REZONE FOR  
LOT 3, WINDSOR  
TRACT

The Planning Commission recommended the approval of the request of Mr. James O. Newman on behalf of Newman and Ramsey, Insurance Brokers, for a change in zoning from the R-1, Single-Family Residential District to the C-P, Commercial Professional District for the westerly 55 feet of Lot 3, Windsor Tract. On motion of Councilman Katnich, Hughes second, this matter was set for public hearing on May 24, 1972.

REZONE PARCEL  
ON S. MILLS  
N OF LODI AVE.

The Planning Commission recommended the approval of the request of Mr. Ralph Lewis on behalf of Mr. Gene Kramer for a change in zoning from the R-1, Single-Family Residential District to the R-LD, Low Density, Multiple-Family Residential District for a 390-foot by 446-foot parcel located on the west side of South Mills Avenue between 360 feet and 806 feet north of the centerline of West Lodi Avenue. On motion of Councilman Katnich, Pinkerton second, the matter was set for public hearing on June 7, 1972.

OF INTEREST

Other items of interest to the City Council were as follows:

1. Approved the Tentative Map of Kramer Estates - a 3.99-acre tract containing 10 duplex and 10 single-family lots on the west side of South Mills Avenue between 360 and 806 feet north of the centerline of West Lodi Avenue with certain conditions.
2. Denied the request of Mr. Charles Wentland for a Variance to reduce the required side yard from 5 feet to 2 feet to permit the erection of a 7-foot-high backdrop structure on a parcel located at the northeast corner of West Lodi Avenue and Ticknor Court in an area zoned R-1, Single-Family Residential.

The Planning Commission was unable to find that a "hardship" as defined in the Zoning Ordinance existed.

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3. Approved the request of the Sun West Swim and Tennis Club for a Variance to reduce the required front yard from 20 feet to a minimum of 7 1/2 feet to permit the erection of a 6-foot-high fence adjacent to a required cul-de-sac at the east end of Cochran Road in an area zoned R-1, Single-Family Residential.

The Planning Commission determined that a "Zoning Hardship" existed because the City of Lodi required the cul-de-sac which encroached into the Cochran Road front yard set-back area.

4. Made the following recommendations to the San Joaquin County Planning Commission and/or Board of Zoning Adjustment:
  - a. The adoption of a policy which would limit urban or highway-oriented uses along the U.S. 50-99 Frontage Road from a point south of Lodi to the north County line to the Highway interchange locations.
  - b. The denial of the request of Mr. Harvey Puga for a Use Permit to establish a travel trailer and boat storage lot and a mobilehome sales area on the east side of U.S. 50-99 Frontage Road, from 1850 feet to 2150 feet south of Acampo Road, north of Lodi in an area zoned I-PA, Interim Protected Agricultural District.
  - c. The approval of the request of Mr. C. F. Hunger for a Use Permit for a temporary mobilehome while constructing a residence on the south side of Harney Lane from 370 feet to 645 feet west of the Central California Traction Company Main Line, east of Lodi in an area zoned I-PA, Interim-Protected Agricultural and GA-5, General Agricultural with the condition that the permit be good for one year only.
  - d. The approval of the request of Mr. M. J. Mitchell and Mr. B. M. Handel for a Use Permit to establish a mobilehome and travel trailer sales lot on an island on the south side of Woodbridge Road between U.S. 50-99 and U.S. 50-99 Frontage Road, north of Lodi, in an area zoned I-PA, Interim-Protected Agricultural District.

#### COMMUNICATIONS

##### ABC LICENSE

Applications for alcoholic beverage license were received as follows:

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1. J. Walter Fleming, 318 W. Pine Street, Wine Brokers, new license.
2. Hussein Ali Ateyah, Tokay Market, 10 East Tokay Street, off-sale beer and wine, person-to-person transfer.
3. Victoria Ramirez and Yolanda L. Barocio, Isle of Capri, 117 North Sacramento Street, on-sale beer and wine, premise-to-premise, person-to-person transfer.

APPEAL -  
C. WENTLAND  
RE VARIANCE

A letter was received from Mr. C. A. Wentland, 1601 West Lodi Avenue, appealing the decision of the Planning Commission in denying his request for a Variance to reduce the required side yard setback from 5 feet to 2 feet to permit the erection of a 7-foot-high backdrop structure on a parcel located at 1601 West Lodi Avenue. This matter was set for public hearing on May 24, 1972 on motion of Councilman Pinkerton, Hughes second.

APPEAL -  
EHLERS &  
ROGET

A letter was received from Mr. Lee Ehlers and Dr. Gordon Roget appealing the decision of the Planning Commission in denying their request for rezoning from the R-1, Single-Family Residential District for an approximately two-acre parcel located at the southeast corner of Lower Sacramento Road and West Lodi Avenue. On motion of Councilman Hughes, Pinkerton second, the matter was set for public hearing on June 21, 1972.

LAFCO RE  
MOORE ADDN

The City Clerk read a letter received from Mr. Ralph W. Epperson, Executive Officer of the San Joaquin County Local Agency Formation Commission. This letter stated that the Local Agency Formation Commission had received a request for annexation of the Moore Addition to the City of Lodi. This is a single lot annexation at the southwest corner of West Tokay Street and Peach Street. At its April 21 meeting, the Local Agency Formation Commission had continued this item in order to determine the following:

1. If any of the properties adjoining Mr. Moore's parcel were also interested in annexation, and
2. If the Lodi City Council was still of the opinion that the Wisner and Talley Tracts should be brought to City standards before annexation either by individual effort or through the formation of assessment areas.

City Manager Graves explained that City policy in the past had been that property should be brought up to City standards in the areas of water and sewer

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facilities, drainage and street improvements prior to being annexed to the City. The proposed annexation includes property that does not meet the City's standards in the above areas. He discussed the conditions existing in the area south of West Tokay Street and pointed out there were other residents in that area who may wish to annex at this time. The City Manager felt the annexation should be encouraged.

During the discussion by the Council, Councilman Pinkerton requested the staff make a study to determine the feasibility of extending Tokay Street from Virginia Street to Fairmont Avenue. He felt this would benefit residents on Tokay Street and relieve the traffic situation on Lodi Avenue. After considerable discussion concerning the annexation, Councilman Hughes moved the discussion of the matter be continued to the meeting of May 24 and the staff be instructed to prepare and submit to the Council a written report on the proposed annexation prior to that meeting. The motion was seconded by Councilman Katnich and carried by unanimous vote.

COUNCIL OF  
CHURCHES -  
BIKE ROUTE

A letter was read from the Lodi Council of Churches signed by Mrs. Thurman Sears, Secretary, requesting a safe bicycle route between Lodi and Micke Grove.

Councilman Katnich moved discussion of this matter be continued and the matter be referred to the staff for study and recommendation at the next regular meeting. The motion was seconded by Councilman Hughes and carried by unanimous vote.

APPRECIATION -  
LODI HOUSE

Mayor Ehrhardt presented a letter received from Miss Arlene Ackerman, Director of the Lodi House, thanking the City for its support of the Lodi House.

APPRECIATION -  
BOAT CLUB

The Mayor also presented a letter received from Mr. Ira W. McCay of Arcadia, California, expressing appreciation for use of the Lodi Lake by the Sacramento Model Boat Club.

W. LEWIS -  
DIR OF UTILITIES

City Manager Graves introduced to the Council Mr. William C. Lewis who was recently appointed as Director of Utilities.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$336,923.87 were approved on motion of Councilman Katnich, Hughes second.

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WITHDRAW SUN  
WEST ADDN  
FROM WRCFPD  
  
RES. NO. 3627

City Manager Graves reported that annexation of the Sun West Addition had been completed and the Addition should now be withdrawn from the Woodbridge Rural Fire District. Councilman Katnich then moved the adoption of Resolution No. 3627 withdrawing the Sun West Addition from the Woodbridge Rural County Fire Protection District. The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

ACCEPT TURNER  
RD DUCT & VAULT

On motion of Councilman Katnich, Pinkerton second, the City Council accepted the Turner Road Duct and Precast Vault as complete and authorized the Public Works Director to file the Notice of Completion on the project.

SPECS - TRUCK

The City Manager presented specifications for Council approval of a flat bed truck for the Public Works Department. On motion of Councilman Hughes, Ehrhardt second, the specifications were approved and advertising for bids thereon authorized.

LODI-  
WOODBIDGE  
IMPROVEMENT  
CENTER RE  
NYC PROGRAM

Mrs. Laura Diaz, Director of the Lodi-Woodbridge Improvement Center, 9 North Stockton Street, appeared before the City Council to request the City to contribute funds to the Center to help it secure a larger Neighborhood Youth Corps program for the summer. Mrs. Diaz appeared before the Council on April 5, 1972 at which time the Council requested further information on the request and asked for advise regarding the legality of this type of participation by the City.

Mrs. Diaz explained she wished to increase the Neighborhood Youth Program this summer, and to do this she must provide additional supervisors. She said the using agency must pay 20% of the salary of the supervisors. Since the Center does not have the funds to pay the 20% of the supervisors' salaries, she was requesting the City to contribute \$947 to the program for this purpose. Mrs. Diaz explained that this program would provide employment for young people during the summer and she felt this was desperately needed.

Councilman Pinkerton questioned Mrs. Diaz as to how the Federal money allocated to the Lodi-Woodbridge Improvement Center was being spent. He questioned if the Center had not been granted use of government vehicles and the cars later withdrawn because of lack of care given the vehicles. Mrs. Diaz responded that as long as she had been at the Center they had not used Federal vehicles.

Councilman Hughes suggested the program should be discussed with the Lodi Unified School District officials to determine if the School District would

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participate in the program. Councilman Hughes indicated he could not agree with City-participation in the program since he felt there was no hardship involved and he felt City funds should not be spent for charity.

After further discussion, Councilman Katnich moved the requested funds be made available to the Center for the purpose of funding the NYC program. The motion was seconded by Councilman Ehrhardt. After discussion, the motion failed to carry by the following vote:

Ayes: Councilmen - Katnich

Noes: Councilmen - Hughes, Pinkerton and Ehrhardt

#### ANNUAL AUDIT

The Council, on motion of Councilman Katnich, Hughes second, unanimously approved an agreement with Mr. H. P. McCandless to perform the City's annual audit for fiscal years ending June 30, 1972, June 30, 1973 and June 30, 1974 and authorized the Mayor to sign same on behalf of the City.

#### AWARD - BASIN A-2 FENCING DELAYED

The City Manager recommended award of bid for the A-2 Retention Basin Fencing be delayed until the next Council meeting. He explained that the City had received two bids for the fencing as follows:

	<u>Base bid</u>	<u>Alternate</u>
San Jose Steel	\$ 16, 121.40	\$16, 588.56
BAR Fence & Drilling	17, 919.50	19, 537.82

The City Manager explained that the bid received from San Jose Steel Company listed a subcontractor on the bid to perform the concrete curbing and there was some doubt as to whether this firm was licensed with the State.

Mr. Graves reviewed the alternatives available to the Council stating he would recommend deferring the award until the meeting on May 24 so that it may be determined if the subcontractor in question is licensed.

Mr. B. A. Rose, 2693 Starling Court, Pleasanton, who was in the audience, told the Council it would be negligent to perform a contract with an unlicensed contractor. The City Manager assured him the City would not execute a contract with an unlicensed contractor.

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After further discussion, Councilman Hughes moved the award for the A-2 Retention Fencing be deferred until the next regular meeting and the matter be clarified in the meantime. The motion was seconded by Councilman Katnich and carried by unanimous vote.

AWARD -  
ALUMINUM  
CONDUCTOR

The City Manager presented bids received for the stranded aluminum conductor as follows:

RES. NO. 3628

Valley Electric Company	\$ 10,670.63
G.E. Supply Company	13,305.60
Noranda Aluminum, Inc.	13,308.75
Westinghouse Electric Supply	13,702.50
Maydwell & Hartzell, Inc.	13,778.10
Consolidated Electrical Dist.	13,793.85
Graybar Electric Company	13,907.25

Mr. Graves recommended the award be made to the low bidder, Valley Electric Company, for the amount of the bid. On motion of Councilman Hughes, Pinkerton second, the City Council unanimously adopted Resolution No. 3628 awarding the contract for the furnishing of the stranded aluminum conductor to Valley Electric Company for a total amount of \$10,670.63.

JOINT MEETING  
SCHOOL BOARD -  
CITY COUNCIL

City Manager Graves announced he had received a communication from Mr. Raymond Jansen, Superintendent Lodi Unified School District, extending an invitation to the Council for a joint meeting with the School Board on Tuesday, May 23, 1972. Mr. Jansen also asked for suggested agenda items.

The Council requested the City Manager to confirm the meeting with the School Board.

ORDINANCES

REZONES  
RIVER OAKS  
SUBDIVISION  
TO P-D (8)

ORD. NO. 970  
ADOPTED

ORDINANCE NO. 970, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING AN 8.54-ACRE PARCEL LOCATED ON THE NORTH SIDE OF EDGEWOOD DRIVE AT LAKEWOOD DRIVE BETWEEN LOT 43 OF WILLOW GLEN SUBDIVISION, UNIT NO. 1 AND LOT 172 OF LAKEWOOD SUBDIVISION, UNIT NO. 3 TO BE IN THE P-D (8), PLANNED-DEVELOPMENT DISTRICT NO. 8," having been introduced at an adjourned regular meeting on April 18, 1972, was brought up for passage on motion of Councilman Hughes, Pinkerton second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Pinkerton and Ehrhardt

Noes: Councilmen - Katnich

Absent: Councilmen - Schaffer


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ADDITIONAL  
MEETINGS

Mayor Ehrhardt announced the Council would be meeting on Tuesday, May 9, with the San Joaquin County Board of Supervisors to discuss items of mutual interest. He then suggested the Council also meet in an adjourned session Wednesday, May 10, 1972.

ADJOURNMENT

There being no further business, at 10:08 p.m., on motion of Councilman Katnich the Council adjourned to Wednesday, May 10, 1972 at 8:00 p.m. The Council then went into Executive Session to discuss personnel matters.

  
Attest: BESSIE L. BENNETT  
City Clerk